

Notice of Allowability

Application No.

09/757,909

Examiner

A. Dexter Tugbang

Applicant(s)

ARMS ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 11/19/04.
2. ☒ The allowed claim(s) is/are 1-32 and 72-103.
3. ☒ The drawings filed on 10 January 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

The following changes to each of Claims 8, 77 and 95 are minor in nature to correct informalities in the language and do not affect the scope of the claimed invention.

In Claim 8, the term "window" (line 3) has been replaced with --opening--.

In Claim 77, the phrase of " , in" (line 1) has been deleted.

In Claim 95, the term --said-- has been added before "openings" (line 2).

2. Claim 1 is a linking claim and allowable. Upon the allowance of the linking claim(s), the restriction requirement (dated 9/24/03) as to the linked inventions has now been withdrawn and Claim(s) 4-26 and 101 depending from linking Claim 1 includes all the limitations of the allowable linking claim(s), and thus have been fully examined for patentability.

3. In view of the above noted withdrawal of the restriction requirement as to the linked inventions, the applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is

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withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance: the prior art does not teach all of the limitations of the claimed invention including forming openings in portions of the insulation on the coil outer surface and exposing the conductor in the openings for external contacts, then subsequently dicing completely through the coil to provide short coils, wherein each of the short coils has a short coil length that is less than the coil length (as required by each of Claims 1, 102 and 103).

With respect to the prior art applied in the last Office Action (Final Rejection, dated 1/24/04), the applicant(s) arguments expressly stated in the response filed on 11/19/04 have been found to be persuasive. Therefore, the applied art in the last Office Action has been withdrawn.

The examiner would further like to discuss the reference cited to Japanese Patent Publication JP 1-179406, referred to hereinafter as JP'406. JP'406 does teach providing a coil and insulation and dicing completely through the coil to provide short coils where each of the short coils has a short coil length that is less than the original coil length. However, JP'406 does not teach forming openings in portions of the insulation on the coil outer surface and exposing the conductor coil in the openings. To form openings in the insulation of JP'406 would destroy the structure of the JP'406 as the purpose of the insulation of JP'406 is to fully insulate the outer surface of the coil and not expose any of the conductor coils.

Accordingly, Claims 1-32 and 72-103 are allowed.

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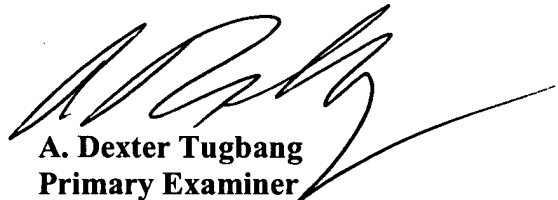
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Dexter Tugbang whose telephone number is 571-272-4570.

The examiner can normally be reached on Monday - Friday 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. Dexter Tugbang
Primary Examiner
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February 4, 2005